THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 4437 of 2002

Dated: 08-12-2006

Between:

Bhyravaram Primary Agricultural Co-operative
Society, rep., by its Chairman-person in charge,
Bhyravaram village,
Balayapalli Mandal and two others.

..... PETITIONERS

AND

State Bank of India,
Rep., by its Branch Manager,
Nellore District and another.

.....RESPONDENTS

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 12532 of 2002

O R D E R:

None appears for the petitioners.

It is represented by the learned counsel for the respondents that the issue involved in this writ petition is squarely covered by a decision of the Division Bench of this Court in ANDHRA PRADESH RYTHU SANGHAM v. UNION OF INDIA[1], wherein it was held as under :

> *"We are of the opinion that the scheme benefits the farmer indemnifying him against the crop loss. The amount of loan will be recovered from the insurance amount thereby a double purpose is served. The poor cultivator is indemnified against loss and the financial institutions which are Co-operative Banks are indemnified against loss by the General Insurance Corporation. This is a social security measure meant for the benefit of rural population and benefits only those who taken loans from the financial institutions. In other words, it is limited to the class of people who are getting subsidized loans from such institutions who themselves have got to be saved against the area in question. Such a Scheme cannot be said to be in any manner, unreasonable or arbitrary."*

In view of the ratio laid down by the Division Bench in the above case, the relief as prayed for cannot be granted.

Accordingly, following the above decision, Writ Petition is dismissed. No costs.

G. ROHINI, J

Dated: 08-12-2006
KLP

[1] 2002 (2) ALD 486 (D.B.)